

-FILED-

U.S.

MAY 20 2021

At _____ M
ROBERT N. TRGOVICH, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

Case No.

2:19-CR-0140

v.

Michael Christianson

Defendant's Proposed Voir Dire

Defendant, pro se, requests that his
attached questions, numbered 1 thru
32, be asked during jury selection.

Respectfully,



Michael Christianson
513110, JCDC
3050 S. Justice Way
Kankakee, IL 60901

Question No. 1

Mr. Christiansen is a self-admitted, non-practicing pedophile, hebophile and homosexual.

Do any of you have any feelings or opinions of any sort about pedophiles, hebophiles, or homosexuals that might affect your ability to be impartial in a case like this one?

U.S. v. Bates, 590 Fed Appx 882 (11 Cir 2014)
(erred in Voir Dire by not permitting questions on sexual preferences and homosexuality)

Question No. 2

Does anyone here hold any kind of a bias or prejudice toward the sexual education of children?

Question No. 3

Does anyone here hold any kind of a bias or prejudice toward the nude photography of men, women, or children?

Question No. 4

Are any of you a social worker, child or adult mental health practitioner, child advocate, or do you work with, volunteer for, or otherwise serve the needs of abused, neglected, exploited, or disabled children?

Question No. 5

Do you believe that because a person is a homosexual pedophile, he is less likely to be telling the truth?

Question No. 6

Has anyone here never met a homo-
sexual pedophile? Never talked to a
homosexual pedophile?

Question No. 7

Would you prefer not to sit on a case, or feel that you could not be fair in a case, that involves a homosexual pedophile?

Question No. 8

You will hear profanity and crude words in this trial. Would you be so uncomfortable after hearing these words in this Court room that you would have difficulty weighing the evidence impartially?

Question No. 9

Only real Child pornography is not protected under the First Amendment.¹

But virtual, or fake, child pornography — Sexually explicit pornography created using adults who look like minors or by using sex dolls — is protected by the First Amendment.² You will hear evidence that Mr. Christianson believed many of the images were fakes, and that he made a mistake. Do you have any preconceived ideas that might make it difficult or impossible for you to fully and fairly consider a defense of Mistake?

1. Osborne v. Ohio, 495 U.S. 103 (1990); New York v. Ferber, 458 U.S. 747 (1982)

2. Aschcroft v. FSC, 535 U.S. 234, (2002); New York v. Ferber, 458 U.S. 747, — (1982); U.S. v. Hotaling, 634 F.3d 725, 729-30 (2d Cir 2011 (adult actors appearing like children engaged in sexually explicit conduct is protected speech.))

.. Question No. 10

.. Are you aware that the law does not hold
.. a person responsible for his acts, if he
.. acted by accident, mistake or for some
.. other innocent reason at the time he com-
.. mitted the crime?

.. Do you agree with that proposition
.. of law?

.. Question No. 11

.. Do you disagree with that proposition
.. OF Law?

.. Question No. 12

.. IF you find that Mr. Christianson acted
.. by accident, mistake or for some other
.. innocent reason when he transported the
.. Contested photographs, would you have
.. any difficulty following the Court's in-
.. struction and rendering a verdict of not
.. guilty?

Question No. 13

Do you feel that anyone who is physically able to commit a crime must be responsible for that crime?

.. Question No. 14

.. In this Case there will be allegations by
.. Mr. Christianson that he advocates to
.. Change the System to allow him to "Suck
.. underage penis when I want to." As
.. a result of this disclosure, do any of
.. you have such strong feelings about the
.. Defendant that you feel you cannot be
.. fair and impartial in this case?

Question No. 15

In this case there will be allegations that Mr. Christianson advocates for Naked-play. There are five traditional pillars of naked-play according to Mr. Christianson: Safe, Consensual, Age-appropriate, Non-violent, and Parent-approved. As a result of this evidence, do any of you have such strong feelings about the Defendant that you feel you cannot be fair and impartial in this case?

Question No. 16

In this case there will be allegations by Mr. Christianson that he performed oral sex on an adolescent male in the year 2002 and that he spent 14 years incarcerated for this act of child molest. As a result of this evidence, do any of you have such strong feelings about the Defendant that you feel you cannot be fair and impartial in this case?

U.S. v. Saadeh, 61 F.3d 510 (7 Cir 1995) (impeachment by bad act evidence, allowed to explain the circumstances of the event that furnished the bad act)

Question No. 17

A fundamental principle of our legal system is that when a person is brought to court charged with a crime, that person is presumed innocent unless the government proves guilt beyond a reasonable doubt. Will you have difficulty in accepting and applying the rule of law that Mr. Christianson is presumed innocent?

Question No. 18

Although Mr. Christiansen has been arrested and detained in this case, he is presumed innocent unless the government proves guilt beyond a reasonable doubt. Does the fact that Mr. Christiansen has been arrested and detained make it difficult for you to presume now that he is still innocent?

Question No. 19

There has been an indictment in this case. That is just a formal way of presenting the charges. Does the fact that there is a two (2) Count Indictment affect your ability to presume Mr. Christianson is innocent?

Question No. 20

The government has the very high burden of proving Mr. Christianson guilty. Because he is presumed innocent, he remains innocent unless the government is able to prove guilt beyond a reasonable doubt.

This burden of proof never shifts to the defendant. Is there anyone who is uncomfortable with or disagrees with this rule of law?

Question 21

Does anyone here think that Mr. Christensen, the defendant, should be required to prove his innocence?

Question No. 22

Have any of you ever worked for a law enforcement agency, such as ISP, Hammond Police Department, FBI, CIA, IRS, State, County or local police or military police)?

Question No. 23

Have any of your relatives or close friends ever worked for law enforcement agency, such as ISP, Hammond Police Department, FBI, CIA, IRS; State, county or local police or the military police?

Question No. 24

Have you ever Served in the United States Armed Forces, Such as Army, Navy, Air Force, Marine, Space Force, Coast Guard and Merchant Marines?

Question No. 25

Have anyone of you, your relatives,
close friends or neighbors worked in the
courts or in the prosecutor's office?

Question No. 26

Law enforcement agents will testify. Would you be more or less likely to believe a law enforcement officer than other witnesses because he or she is a law enforcement officer?

Question No. 27

Have you formed any opinions about
prosecutors or the accused?

Question No. 28

Federal law and the U.S. Constitution give every citizen the right to manage and conduct his own defense. Mr. Christianson has chosen to represent himself at trial; Do you have feelings about defendant's representing themselves that would make it difficult for you to render a fair and impartial verdict in this case?

.. Question No. 29

.. Are you in a Sufficiently impartial state
.. of mind that you would be ~~sta~~ satisfied to
.. have jurors possessing such a state of mind
.. judge the evidence if you or your loved one
.. were on trial here?

Question No. 30

If you came to the conclusion that the prosecution had not proven Mr. Christianson's guilt beyond a reasonable doubt, and you found that a majority of the jurors believed he was guilty, would you change your verdict only because you were in the minority?¹

¹ Egan v. U.S., 5 F.2d 267 (App.D.C. 1925)

Question No. 31

As you have been told, Mr. Christianson is charged by Indictment with 2 Counts. As you know an Indictment is not evidence. It is simply the formal method of informing Mr. Christianson of the charges. Does the mere number of charges cause you to believe that Mr. Christianson might be guilty of at least one, or both, of them?

Question No. 32

You will hear evidence that Mr. Christenson is a registered Sex Offender and he is labeled by law as a "Sexually Violent Predator." These are all requirements of Mr. Christenson's past crime. Knowing this, do you have feelings about registered sex offenders or Sexually Violent predators that would make it difficult for you to render a fair and impartial verdict in this ~~case~~ Case?